

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Warne et al.

SERIAL NUMBER: 10/663,264

EXAMINER : Bruce D. Hissong

FILING DATE: September 16, 2003

ART UNIT : 1646

FOR: DELAYED RELEASE FORMULATIONS FOR ORAL  
ADMINISTRATION OF A POLYPEPTIDE THERAPEUTIC AGENT AND  
METHODS OF USING SAME

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

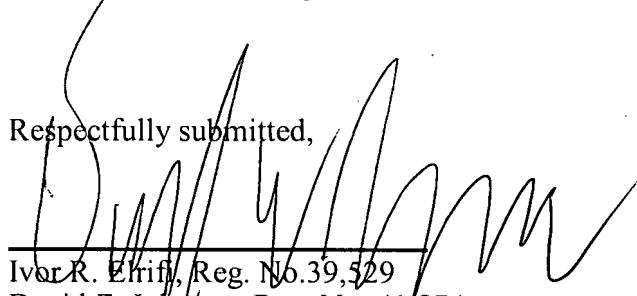
## NOTICE OF APPEAL

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Examiner's April 6, 2007 Office Action finally rejecting claims 5-12, 17, 19-26, 28-41, and 53-55 in the above-identified application. A check in the amount of \$510.00 for filing this Notice of Appeal is enclosed as required by 37 CFR § 1.17(b).

Applicants file herewith a petition for a three (3) month extension of time for extending the time for responding to the Office Action.

The Commissioner is hereby authorized to charge payment of any fees required in connection with the papers transmitted herewith, or credit any overpayment of same, to Deposit Account No. 50-0311 (Reference No. 22058-544 (AM100664)).

Respectfully submitted,

  
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Dated: October 9, 2007